

1-1 By: Villalba, Oliveira (Senate Sponsor - Fraser) H.B. No. 1736
 1-2 (In the Senate - Received from the House May 4, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on Natural
 1-4 Resources and Economic Development; May 13, 2015, reported
 1-5 favorably by the following vote: Yeas 9, Nays 1; May 13, 2015, sent
 1-6 to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | | | X | |
| 1-12 | | X | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |
| 1-18 | X | | | |
| 1-19 | X | | | |

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to building energy efficiency performance standards.
 1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Section 388.003, Health and Safety Code, is
 1-25 amended by amending Subsections (a), (b), (b-2), (b-3), (d), and
 1-26 (i) and adding Subsections (j) and (k) to read as follows:
 1-27 (a) To achieve energy conservation in single-family
 1-28 residential construction, the energy efficiency chapter of the
 1-29 International Residential Code, as it existed on May 1, 2001, is
 1-30 adopted as the energy code in this state for single-family
 1-31 residential construction. On September 1, 2016, the energy
 1-32 efficiency chapter of the International Residential Code, as it
 1-33 existed on May 1, 2015, is adopted as the energy code in this state
 1-34 for single-family residential construction. On or after September
 1-35 1, 2021, the State Energy Conservation Office may adopt and
 1-36 substitute for that energy code the latest published edition of the
 1-37 energy efficiency chapter of the International Residential Code,
 1-38 based on written findings on the stringency of the chapter
 1-39 submitted by the laboratory under Subsection (b-3). The office:
 1-40 (1) may not adopt an edition under this subsection
 1-41 more often than once every six years; and
 1-42 (2) by rule shall establish an effective date for an
 1-43 adopted edition that is not earlier than nine months after the date
 1-44 of adoption.
 1-45 (b) To achieve energy conservation in all other
 1-46 residential, commercial, and industrial construction, the
 1-47 International Energy Conservation Code as it existed on May 1,
 1-48 2001, is adopted as the energy code for use in this state for all
 1-49 other residential, commercial, and industrial construction. The
 1-50 State Energy Conservation Office may adopt and substitute for that
 1-51 energy code the latest published edition of the International
 1-52 Energy Conservation Code, based on written findings on the
 1-53 stringency of the edition submitted by the laboratory under
 1-54 Subsection (b-3). The office by rule shall establish an effective
 1-55 date for an adopted edition that is not earlier than nine months
 1-56 after the date of adoption.
 1-57 (b-2) The State Energy Conservation Office by rule shall
 1-58 establish a procedure for persons who have an interest in the
 1-59 adoption of energy codes under Subsection (a) or (b) [~~(b-1)~~] to have
 1-60 an opportunity to comment on the codes under consideration. The
 1-61 office shall consider persons who have an interest in adoption of

2-1 those codes to include:

2-2 (1) commercial and residential builders, architects,

2-3 and engineers;

2-4 (2) municipal, county, and other local government

2-5 authorities; ~~and~~

2-6 (3) environmental groups; and

2-7 (4) manufacturers of building materials and products.

2-8 (b-3) The [In developing written recommendations under

2-9 Subsection (b-1), the] laboratory shall:

2-10 (1) submit to the State Energy Conservation Office

2-11 written findings on the stringency of the latest published edition

2-12 of the International Residential Code energy efficiency provisions

2-13 only if the date of the edition allows the office to adopt the

2-14 edition under Subsection (a)(1);

2-15 (2) submit to the State Energy Conservation Office

2-16 written findings on the stringency of the latest published edition

2-17 of the International Energy Conservation Code not later than six

2-18 months after publication of a new edition; and

2-19 (3) in developing the findings, consider the comments

2-20 submitted under Subsection (b-2).

2-21 (d) A municipality ~~[or county]~~ may establish procedures to

2-22 adopt local amendments to the International Energy Conservation

2-23 Code and the energy efficiency chapter of the International

2-24 Residential Code. Notwithstanding the requirements of Subsection

2-25 (e), a municipality located in an area defined by Section

2-26 388.002(11) or in an affected county may establish procedures to

2-27 adopt local amendments to the energy rating index in an optional

2-28 compliance path of an energy code adopted under this section.

2-29 (i) A building certified by a national, state, or local

2-30 accredited energy efficiency program and determined by the

2-31 laboratory to be in compliance with the energy efficiency

2-32 requirements of this section may, at the option of the

2-33 municipality, be considered in compliance. The United States

2-34 Environmental Protection Agency's Energy Star Program

2-35 certification of energy code equivalency shall be considered in

2-36 compliance. An energy rating index in an optional compliance path

2-37 of an energy code described by Subsection (j) shall be considered in

2-38 compliance.

2-39 (j) For the purposes of this chapter, the Energy Rating

2-40 Index used to measure compliance for single-family residential

2-41 construction in an optional compliance path of an edition of the

2-42 energy efficiency chapter of the International Residential Code

2-43 that uses an energy rating index is as follows:

2-44 (1) for climate zone 2, an energy rating index of:

2-45 (A) 65 or lower from September 1, 2016, to August

2-46 31, 2019;

2-47 (B) 63 or lower from September 1, 2019, to August

2-48 31, 2022; and

2-49 (C) 59 or lower on or after September 1, 2022;

2-50 (2) for climate zone 3, an energy rating index of:

2-51 (A) 65 or lower from September 1, 2016, to August

2-52 31, 2019;

2-53 (B) 63 or lower from September 1, 2019, to August

2-54 31, 2022; and

2-55 (C) 59 or lower on or after September 1, 2022; and

2-56 (3) for climate zone 4, an energy rating index of:

2-57 (A) 69 or lower from September 1, 2016, to August

2-58 31, 2019;

2-59 (B) 67 or lower from September 1, 2019, to August

2-60 31, 2022; and

2-61 (C) 63 or lower on or after September 1, 2022.

2-62 (k) This subsection and Subsection (j) expire September 1,

2-63 2025.

2-64 SECTION 2. The following provisions of the Health and

2-65 Safety Code are repealed:

2-66 (1) Section 388.003(b-1), as added by Chapter 262

2-67 (S.B. 12), Acts of the 80th Legislature, Regular Session, 2007; and

2-68 (2) Section 388.003(b-1), as added by Chapter 939

2-69 (H.B. 3693), Acts of the 80th Legislature, Regular Session, 2007.

3-1 SECTION 3. This Act takes effect immediately if it receives
3-2 a vote of two-thirds of all the members elected to each house, as
3-3 provided by Section 39, Article III, Texas Constitution. If this
3-4 Act does not receive the vote necessary for immediate effect, this
3-5 Act takes effect September 1, 2015.

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